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DIRECTOR OFFICE
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In re Application of:)
Boda et al.)
Application No.: 10/015,780) DECISION ON PETITION
Filed: December 17, 2001)
For: INITIATING A WIRELESS CONNECTION)
TO A BROADCAST PROGRAM)

This is a response to the petition pursuant to 37 CFR 1.59(b) and MPEP 724.05, filed April 3, 2002 to expunge information from the above identified application.

Petitioner requests that certain propriety information be expunged from the record. Pursuant to MPEP 724.05, Petitioner states a) that the submission includes a propriety document; b) that the submission has not been made public; c) that Petitioner agrees to retain the expunged information for the period of any patent with regard to which the information has been submitted; d) that the petition is being submitted on behalf of the party of interest, Nokia Corporation. The petition fee as set forth in 37 CFR 1.17(I) has been paid.

The decision on the petition will be held in abeyance until prosecution on the merits is closed, at which time the petition will be decided. Accordingly, it is not appropriate to make a final determination of whether or not the material requested to be expunged is material, with materiality being defined as any information which the examiner considers as being important to a determination of patentability of the claims. Thus, the decision on the petition to expunge must be held in abeyance at this time.

During prosecution on the merits, the examiner will determine whether or not the identified document is considered to be material. If the information is not considered by the examiner to be material, the information will be returned to applicant. In the mean time, the identified document will be placed separate from the application file.

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